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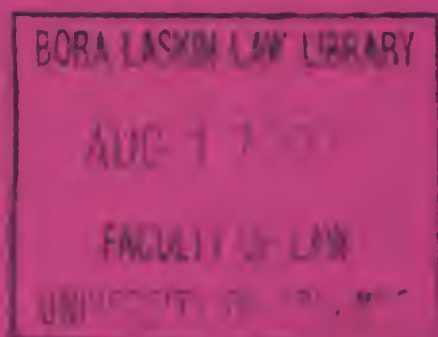
CRIMINAL PROCEDURE

SUPPLEMENTARY CASEBOOK

FALL 2004

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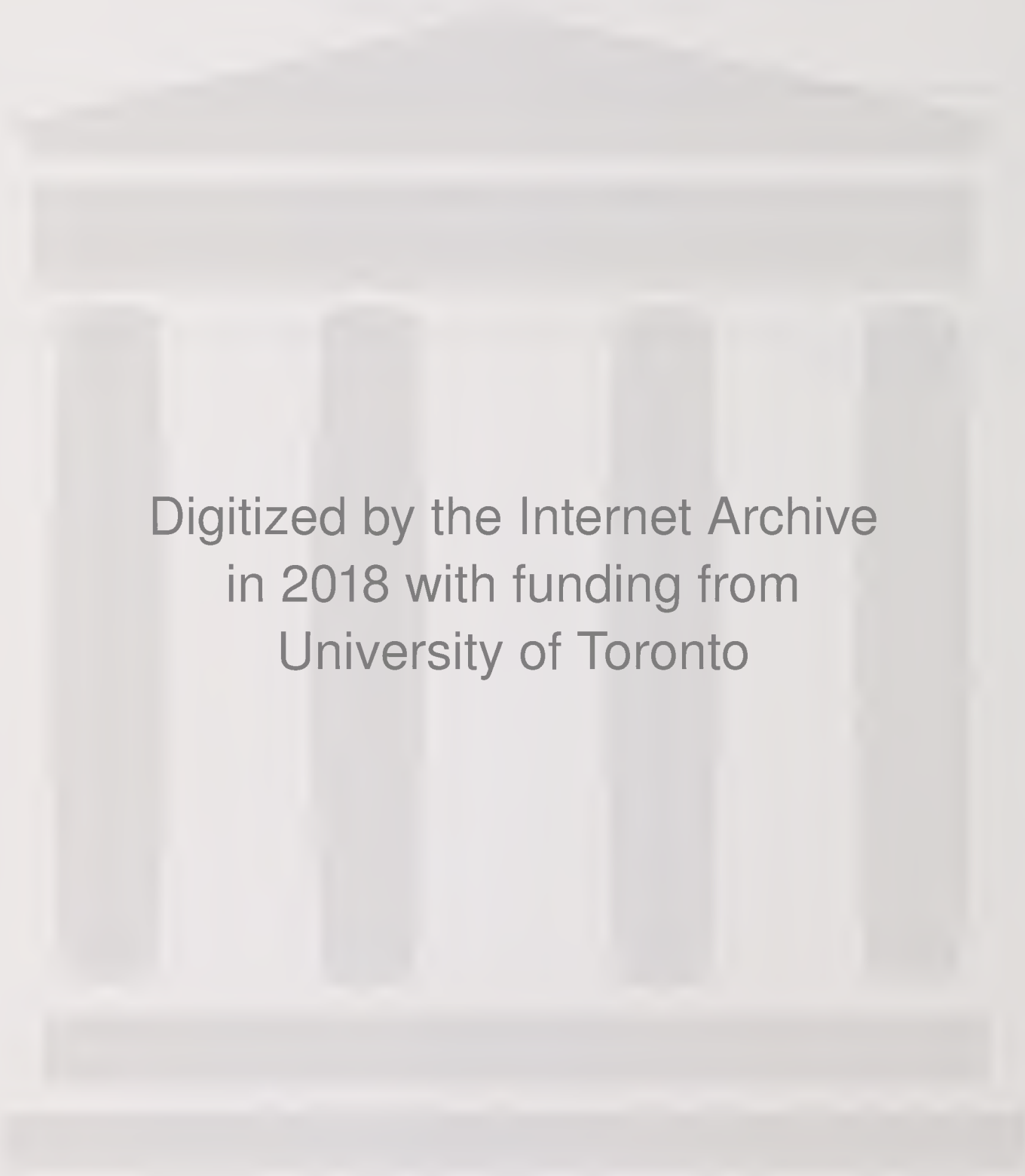
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**CRIMINAL PROCEDURE
UNIVERSITY OF TORONTO
FACULTY OF LAW**

SYLLABUS

MICHAEL CODE & JONATHAN DAWE

REQUIRED READING MATERIAL:

- (i) Tremear's 2005 *Criminal Code* (or any other current *Criminal Code*)
- (ii) Delisle & Stuart, Learning Canadian Criminal Procedure, 7th Ed. 2003, Carswell
- (iii) Code & Dawe, Supplementary Casebook, Fall 2004

I. JURISDICTION

- (i) Courts and Classification of Offences

Criminal Code, ss.468-473 and s.785

Delisle & Stuart: pp.1-7

Code & Dawe Supplement:

- Mewett, Introduction to the Criminal Process 1

- (ii) Time Limitations: Trial within a reasonable time

Criminal Code, s.786

Charter, s.11(b) and s.7

Delisle & Stuart: pp.8-40

Code & Dawe Supplement:

- *Smith v. The Queen* (1989), 73 C.R. (3d) 1 (S.C.C.) 7
- *Askov et al. v. The Queen* (1990), 59 C.C.C. (3d) 449 (S.C.C.) 16
- *Collins and Pelfrey v. The Queen* (1995), 99 C.C.C. (3d) 385 (S.C.C.).....41

(iii) Territorial jurisdiction, jurisdiction over the person and offence, loss of jurisdiction

Criminal Code, s.7, ss.468-470, ss.475-479, s.485, s. 537(1) j & k, s.544, and s.650

Charter, s.7 and s.14

Delisle & Stuart, pp.41-48

Code & Dawe Supplement:

- <i>R.v. McMorris and Francis</i> (1971), 4 C.C.C. (2d) 268 (Ont.Dist.Ct.)	47
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- <i>Barrow v. The Queen</i> (1987), 38 C.C.C. (3d) 193 (S.C.C.).....	87
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- <i>Phillips & Parry v. The Queen</i> (1997) 113 C.C.C. (3d) 481 (S.C.C.).....	146

(iv) Change of Venue

Criminal Code, s.599

Delisle & Stuart: pp. 49-54

Code & Dawe Supplement:

- <i>R. v. Talbot</i> (1977), 38 C.C.C. (2d) 555 (Ont.H.C.J.).....	151
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II. SEARCH AND SEIZURE

Criminal Code, s.117.02, s.487, s.487.1, s.487.11, s.489

Charter, s.8

Delisle & Stuart, pp.59-64, 72-82 and 129-195

Code & Dawe Supplement:

- <i>Re Zevallos and The Queen</i> (1987), 37 C.C.C. (3d) 79 (Ont.C.A.)	155
- <i>Collins v. The Queen</i> (1987), 33 C.C.C. (3d) 1 (S.C.C.)	160
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Delisle & Stuart: pp. 217-273

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V. ELECTIONS, PRELIMINARY INQUIRY AND DISCLOSURE

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Charter, ss.7 and 11(d)

Delisle & Stuart: pp. 587-621

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VII. PLEAS AND VERDICTS

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